

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**Case No.: 06-80081-Cr-HURLEY/VITUNAC(s)**

**21 USC 841(a)(1)  
21 USC 846  
21 USC 841(b)(1)(A)  
21 USC 841(b)(1)(B)  
21 USC 841(b)(1)(C)  
18 USC 2**

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**UNITED STATES OF AMERICA,  
Plaintiff,**

**v.**

**CARLTON POTTS, a/k/a "Pep,"  
ALBERT MILLINES,  
KELVIN FERGUSON,  
JASON JACKSON,  
JOHN POPE,  
BARBARA POTTS,  
SANTOS ROQUE,  
MARVIN BOUE,  
EDDIE RUMPH, JR.,  
PORFIRIO MAISONET, a/k/a "Flaco,"  
TROY HURT, a/k/a "Mark Harris,"  
CHARLES THRONE,  
JERRY SHULER,  
WINFRED LORENZO HUNT, a/k/a "Big Dred," a/k/a "Fat Boy,"  
CLYDE STALWORTH and  
JAMES YOUNG,**

**Defendants.**

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**SUPERSEDING INDCTMENT**

The Grand Jury charges that:

**COUNT 1**

From a time unknown to the Grand Jury but believed to be as early as March 10, 2006, to on or about May 18, 2006, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendants,

**CARLTON POTTS, a/k/a "Pep,"  
ALBERT MILLINES,  
KELVIN FERGUSON,  
JASON JACKSON,  
JOHN POPE,  
BARBARA POTTS and  
JAMES YOUNG,**

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did knowingly and intentionally combine, conspire, confederate and agree with each other and with other persons known and unknown to the Grand Jury to manufacture a Schedule II controlled substance, to possess with intent to distribute a Schedule II controlled substance and to distribute a Schedule II controlled substance, violations of 21 United States Code, Section 841(a)(1), all in violation of Title 21, United States Code, Section 846.

Pursuant to Title 21, United States Code, Section 841(b)(1)(A), it is further alleged that the controlled substance in the conspiracy to manufacture was in fact a mixture and substance containing a detectable amount of cocaine base, commonly known as crack cocaine and that the amount containing a detectable amount of cocaine base, commonly known as crack cocaine was at least 50 grams.

Pursuant to Title 21, United States Code, Section 841(b)(1)(A), it is further alleged that the controlled substances in the conspiracy to possess with intent to distribute were in fact 1) a mixture and substance containing a detectable amount of cocaine base, commonly known as crack cocaine and that the amount containing a detectable amount of cocaine base, commonly known as crack cocaine was at least 50 grams, and 2) a mixture and substance containing a

detectable amount of cocaine, and that the amount containing a detectable amount of cocaine was at least 5 kilograms.

Pursuant to Title 21, United States Code, Section 841(b)(1)(A), it is further alleged that the controlled substances involved in the conspiracy to distribute were in fact 1) a mixture and substance containing a detectable amount of cocaine base, commonly known as crack cocaine and that the amount containing a detectable amount of cocaine base, commonly known as crack cocaine was at least 50 grams, and 2) a mixture and substance containing a detectable amount of cocaine, and that the amount containing a detectable amount of cocaine was at least 5 kilograms.

### **COUNT 2**

On or about March 10, 2006, in Palm Beach County, in the Southern District of Florida, the defendants,

**CARLTON POTTS, a/k/a "Pep,"  
ALBERT MILLINES and  
SANTOS ROQUE,**

did knowingly and intentionally distribute a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that the controlled substance was in fact a mixture and substance containing a detectable amount of cocaine.

### **COUNT 3**

On or about March 11, 2006, in Palm Beach County, in the Southern District of Florida, the defendants,

**CARLTON POTTS, a/k/a "Pep,"  
and MARVIN BOUIE,**

did knowingly and intentionally possess with the intent to distribute a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(B), it is further alleged that the controlled substance was in fact a mixture and substance containing a detectable amount of cocaine and that the amount containing a detectable amount of cocaine was at least 500 grams.

**COUNT 4**

On or about March 11, 2006, in Palm Beach County, in the Southern District of Florida, the defendants,

**CARLTON POTTS, a/k/a "Pep,"  
KELVIN FERGUSON and  
EDDIE RUMPH, JR.,**

did knowingly and intentionally possess with the intent to distribute a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(B), it is further alleged that the controlled substance was in fact a mixture and substance containing a detectable amount of cocaine base, commonly known as crack cocaine and that the amount containing a detectable amount of cocaine base, commonly known as crack cocaine was at least 5 grams.

**COUNT 5**

On or about March 15, 2006, in Palm Beach County, in the Southern District of Florida, the defendants,

**CARLTON POTTS, a/k/a "Pep,"  
PORFIRIO MAISONET, a/k/a "Flaco," and  
TROY HURT, a/k/a "Mark Harris,"**

did knowingly and intentionally distribute a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

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Pursuant to Title 21, United States Code, Section 841(b)(1)(B), it is further alleged that  
the controlled substance was in fact a mixture and substance containing a detectable amount of cocaine and that the amount containing a detectable amount of cocaine was at least 500 grams.

**COUNT 6**

On or about March 16, 2006, in Palm Beach County, in the Southern District of Florida,  
the defendants,

**CARLTON POTTS, a/k/a "Pep,"  
PORFIRIO MAISONET, a/k/a "Flaco," and  
TROY HURT, a/k/a "Mark Harris,"**

did knowingly and intentionally distribute a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(B), it is further alleged that  
the controlled substance was in fact a mixture and substance containing a detectable amount of cocaine and that the amount containing a detectable amount of cocaine was at least 500 grams.

**COUNT 7**

On or about March 17, 2006, in Palm Beach County, in the Southern District of Florida,  
the defendants,

**CARLTON POTTS, a/k/a "Pep,"  
ALBERT MILLINES and  
CHARLES THRONE,**

did knowingly and intentionally distribute a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(B), it is further alleged that ~~the controlled substance was in fact a mixture and substance containing a detectable amount of~~ cocaine and that the amount containing a detectable amount of cocaine was at least 500 grams.

**COUNT 8**

On or about March 17, 2006, in Palm Beach County, in the Southern District of Florida, the defendants,

**CARLTON POTTS, a/k/a "Pep," and  
JOHN POPE,**

did knowingly and intentionally distribute a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that the controlled substance was in fact a mixture and substance containing a detectable amount of cocaine.

**COUNT 9**

On or about March 17, 2006, in Palm Beach County, in the Southern District of Florida, the defendants,

**CARLTON POTTS, a/k/a "Pep,"  
and KELVIN FERGUSON,**

did knowingly and intentionally possess with intent to distribute a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(A), it is further alleged that the controlled substance was in fact a mixture and substance containing a detectable amount of cocaine base, commonly known as crack cocaine and that the amount containing a detectable amount of cocaine base, commonly known as crack cocaine was at least 50 grams.

**COUNT 10**

On or about March 18, 2006, in Palm Beach County, in the Southern District of Florida, the defendants,

**CARLTON POTTS, a/k/a "Pep,"  
and JERRY SHULER,**

did knowingly and intentionally distribute a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(B), it is further alleged that the controlled substance was in fact a mixture and substance containing a detectable amount of cocaine base, commonly known as crack cocaine and that the amount containing a detectable amount of cocaine base, commonly known as crack cocaine was at least 5 grams.

**COUNT 11**

On or about March 19, 2006, in Palm Beach County, in the Southern District of Florida, the defendants,

**CARLTON POTTS, a/k/a "Pep,"  
PORFIRIO MAISONET, a/k/a "Flaco," and  
TROY HURT, a/k/a "Mark Harris,"**

did knowingly and intentionally distribute a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(B), it is further alleged that the controlled substance was in fact a mixture and substance containing a detectable amount of cocaine and that the amount containing a detectable amount of cocaine was at least 500 grams.

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**COUNT 12**

On or about March 20, 2006, in Palm Beach County, in the Southern District of Florida, the defendants,

**CARLTON POTTS, a/k/a "Pep,"  
and EDDIE RUMPH, JR.,**

did knowingly and intentionally distribute a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that the controlled substance was in fact a mixture and substance containing a detectable amount of cocaine base, commonly known as crack cocaine.

**COUNT 13**

On or about March 21, 2006, in Palm Beach County, in the Southern District of Florida, the defendants,

**CARLTON POTTS, a/k/a "Pep,"  
and ALBERT MILLINES,**

did knowingly and intentionally distribute a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(B), it is further alleged that the controlled substance was in fact a mixture and substance containing a detectable amount of cocaine and that the amount containing a detectable amount of cocaine was at least 500 grams.

**COUNT 14**

On or about March 23, 2006, in Palm Beach County, in the Southern District of Florida,  
~~the defendants,~~

**CARLTON POTTS, a/k/a "Pep,"  
and ALBERT MILLINES,**

did knowingly and intentionally distribute a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(B), it is further alleged that the controlled substance was in fact a mixture and substance containing a detectable amount of cocaine and that the amount containing a detectable amount of cocaine was at least 500 grams.

**COUNT 15**

On or about March 23, 2006, in Palm Beach County, in the Southern District of Florida,  
the defendants,

**CARLTON POTTS, a/k/a "Pep,"  
and JOHN POPE,**

did knowingly and intentionally possess with intent to distribute a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that the controlled substance was in fact a mixture and substance containing a detectable amount of cocaine.

**COUNT 16**

On or about March 25, 2006, in Palm Beach County, in the Southern District of Florida,  
the defendant,

**CARLTON POTTS, a/k/a "Pep,"**

did knowingly and intentionally manufacture a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

Pursuant to Title 21, United States Code, Section 841(b)(1)(B), it is further alleged that the controlled substance was in fact a mixture and substance containing a detectable amount of cocaine base, commonly known as crack cocaine and that the amount containing a detectable amount of cocaine base, commonly known as crack cocaine was at least 5 grams.

**COUNT 17**

On or about March 25, 2006, in Palm Beach County, in the Southern District of Florida,  
the defendants,

**CARLTON POTTS, a/k/a "Pep,"  
and CHARLES THRONE,**

did knowingly and intentionally possess with the intent to distribute Schedule II controlled substances, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(B), it is further alleged that the controlled substances were in fact 1) a mixture and substance containing a detectable amount

of cocaine and that the amount containing the detectable amount of cocaine was at least 500 grams, and 2) a mixture and substance containing a detectable amount of cocaine base commonly known as crack cocaine and that the amount containing a detectable amount of cocaine base was at least 5 grams.

**COUNT 18**

On or about March 26, 2006, in Palm Beach County, in the Southern District of Florida,

the defendants,

**CARLTON POTTS, a/k/a "Pep,"  
KELVIN FERGUSON  
JASON JACKSON and  
EDDIE RUMPH, JR.,**

did knowingly and intentionally distribute a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(A), it is further alleged that the controlled substance was in fact a mixture and substance containing a detectable amount of cocaine base, commonly known as crack cocaine and that the amount containing a detectable amount of cocaine base was at least 50 grams.

**COUNT 19**

On or about March 29, 2006, in Palm Beach County, in the Southern District of Florida,  
the defendants,

**CARLTON POTTS, a/k/a "Pep,"  
ALBERT MILLINES and  
WINFRED LORENZO HUNT, a/k/a "Big Dred," a/k/a "Fat Boy,"**

did knowingly and intentionally distribute a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(B), it is further alleged that the controlled substance was in fact a mixture and substance containing a detectable amount of cocaine and that the amount containing a detectable amount of cocaine was at least 500 grams.

**COUNT 20**

On or about March 29, 2006, in Palm Beach County, in the Southern District of Florida, the defendant,

**WINFRED LORENZO HUNT, a/k/a "Big Dred," a/k/a "Fat Boy,"**

did knowingly and intentionally manufacture a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

Pursuant to Title 21, United States Code, Section 841(b)(1)(B), it is further alleged that the controlled substance was in fact a mixture and substance containing a detectable amount of cocaine base, commonly known as crack cocaine and that the amount containing a detectable amount of cocaine base, commonly known as crack cocaine was at least 5 grams.

**COUNT 21**

On or about March 29, 2006, in Palm Beach County, in the Southern District of Florida, the defendant,

**TROY HURT, a/k/a "Mark Harris,"**

did knowingly and intentionally manufacture a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

Pursuant to Title 21, United States Code, Section 841(b)(1)(A), it is further alleged that the controlled substance was in fact a mixture and substance containing a detectable amount of cocaine.

base, commonly known as crack cocaine and that the amount containing a detectable amount of cocaine base, commonly known as crack cocaine was at least 50 grams.

**COUNT 22**

On or about March 30, 2006, in Palm Beach County and elsewhere, in the Southern District of Florida, the defendant,

**TROY HURT, a/k/a "Mark Harris,"**

did knowingly and intentionally possess with the intent to distribute a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

Pursuant to Title 21, United States Code, Section 841(b)(1)(A), it is further alleged that the controlled substance was in fact a mixture and substance containing a detectable amount of cocaine base, commonly known as crack cocaine and that the amount containing a detectable amount of cocaine base, commonly known as crack cocaine was at least 50 grams.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that the controlled substance was in fact a mixture and substance containing a detectable amount of cocaine.

**COUNT 23**

On or about April 4, 2006, in Palm Beach County, in the Southern District of Florida, the defendants,

**CARLTON POTTS, a/k/a "Pep,"  
TROY HURT, a/k/a "Mark Harris," and  
CLYDE STALWORTH,**

did knowingly and intentionally distribute a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that the controlled substance was in fact a mixture and substance containing a detectable amount of cocaine.

**COUNT 24**

On or about May 11, 2006, in Martin County and elsewhere, in the Southern District of Florida, the defendant,

**JERRY SHULER,**

did knowingly and intentionally possess with the intent to distribute a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

Pursuant to Title 21, United States Code, Section 841(b)(1)(A), it is further alleged that the controlled substance was in fact a mixture and substance containing a detectable amount of cocaine base, commonly known as crack cocaine and that the amount containing a detectable amount of cocaine base, commonly known as crack cocaine was at least 50 grams.

**CRIMINAL FORFEITURE**

a. The allegations of Counts 1-24 of this Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which one or more of the defendants have an interest, pursuant to the provisions of Title 21, United States Code, Section 853(a).

b. Upon conviction of any of the offenses charged in Counts 1-24, defendants **CARLTON POTTS, a/k/a "Pep," ALBERT MILLINES, KELVIN FERGUSON, JASON JACKSON, JOHN POPE, BARBARA POTTS, SANTOS ROQUE, MARVIN BOUIE, EDDIE RUMPH, JR., PORFIRIO MAISONET, a/k/a "Flaco," TROY HURT, a/k/a "Mark**

Harris," CHARLES THRONE, JERRY SHULER, WINFRED LORENZO HUNT, a/k/a "Big Dred," a/k/a "Fat Boy," CLYDE STALWORTH AND JAMES YOUNG, shall forfeit to the United States all property, real and personal, involved in the afore stated offenses and all property traceable to such property.

c. If the property described above as being subject to forfeiture, as a result of any act or omission of the defendants,

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

All pursuant to and Title 21, United States Code, Section 853.

A TRUE BILL

FOREPERSON

  
R. ALEXANDER ACOSTA  
UNITED STATES ATTORNEY

  
KAREN L. ATKINSON  
ASSISTANT UNITED STATES ATTORNEY